



# Privacy Policy

## CONTENTS

1. [Important information, commitment](#)
2. [Who we are and who is responsible for your personal data?](#)
3. [What personal data do we collect?](#)
4. [How do we collect your personal data?](#)
5. [For what purposes will we use your personal data?](#)
6. [Who we share your personal data with and under what circumstances?](#)
7. [International transfers of personal data](#)
8. [Security and protection of personal data](#)
9. [Recording of telephone conversations and electronic communication](#)
10. [How long will we use your personal data for?](#)
11. [Your legal rights](#)
12. [Personal data breach](#)
13. [Questions and complaints](#)

[This Privacy Policy is provided in a layered format so you can click to the specific areas set out below.]

### 1. Important information, commitment

In this Privacy Policy we describe how Exinity Group (“*Exinity*”, “*we*”, “*us*”) collects and processes the personal data of its existing and prospective clients. Exinity is comprised of different legal entities, details of which can be found in Section 2 below. Each company of Exinity controls the personal data of its own clients and is responsible for ensuring that such is used fairly and lawfully. This Privacy Policy is issued for and on behalf of Exinity and each company thereof.

This Privacy Policy is addressed to legal and or physical persons who provide their personal data to Exinity and/or visit and/or use Exinity websites, trading platforms, software application, social media and/or any other electronic services (“*Electronic Services*”).

At Exinity, we acknowledge that confidentiality and security of your personal data is of utmost importance to you hence we have developed specific policies and practices designed to protect your personal data. Protection of your personal data requires, among others, the establishment by Exinity of appropriate technical and organisational measures as a means to ensure a high level of data protection.

Additionally, Exinity will monitor, audit and document internal compliance with data protection policies and applicable statutory data protection requirements, including local data protection legislation. We are constantly working towards enhancing data protection practices within Exinity such as assignment of responsibilities, raising awareness and training the staff involved in data processing operations.

This Privacy Policy is based on the privacy and data protection principles applicable to the countries in which we operate. This Privacy Policy will be reviewed and/or amended from time to time to include any new obligations or arrangements in the way we process your personal data as a means to ensure



compliance with any applicable laws and regulations. You will be notified of any important amendments to this Privacy Policy through the usual communication channel.

We encourage you to carefully read this Privacy Policy together with any other privacy statement or fair processing notice we may provide you with on specific occasions in the process of collecting or processing your personal data. It is important that you read this Privacy Policy so that you are fully aware of all logistics re your personal data. This Privacy Policy supplements any and all other notices that we may provide you with from time to time and is not intended to override.

## 2. Who we are and who is responsible for your personal data?

Exinity is responsible for the collection of your personal data in the manner described herein.

Exinity includes:

- Exinity Limited of 5<sup>th</sup> Floor, NEX Tower, Rue du Savoir, Cybercity, 72201 Ebene, Republic of Mauritius
- Exinity ME Ltd of 16-104 Al Khatem Tower, ADGM Square, Al Maryah Island, Abu Dhabi
- Exinity UK Ltd of 1 St. Katharine's Way, London, England E1W 1UN
- Exinity Capital East Africa Ltd of Kiganjo House, Rose Avenue, P.O. Box 50719. 0200 City Square Nairobi, Westlands District Kilimani, Kenya

and their respective affiliates and providers (collectively the "*Exinity Entities*" and each an "Exinity Entity").

Your personal data will be controlled by the relevant Exinity Entity that provides services to or is in electronic communication with you. In some instances, your personal data will be controlled by and or exchanged between more than one Exinity Entity, as applicable.

Any enquiries with regards to the use of your personal data should be sent to [dpo@exinity.com](mailto:dpo@exinity.com)

## 3. What personal data do we collect and process?

Personal data includes any and all information which an individual can be identified with and does not include any data where identity has been removed (namely, anonymous data). Upon registration with Exinity, it is necessary that we collect your personal data in order to comply with legal obligations such as KYC and other regulatory requirements. By understanding your background and needs, we can treat you fairly, provide you with the services that best match your requirements, offer you appropriate and relevant information and process your requests in a fair and efficient manner.

We will collect, use, store and transfer different kinds of your personal data which we have grouped together as follows:

- **Identity Data** such as first name, maiden name, last name, proof of identity, username or similar identifier, title, date and place of birth, gender, country of residence and citizenship.
- **Contact Data** such as billing address, delivery address, email address, telephone number(s), proof of address.
- **Professional Data** such as level of education, profession, employer name, work experience, financial awareness, trading experience.
- **Tax Data** such as country of tax residence, tax identification number.



- **Financial Data** such as annual income, net worth, source of funds, anticipated account turnover, bank account, bank statements, payment card details and copy thereof, e-wallet information.
- **Transaction Data** such as details about payments to and from you, information on products and services you have purchased from us, deposit methods, purpose of transactions with us.
- **Technical Data** such as internet protocol (IP) address, login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access Exinity website and Electronic Services.
- **Profile Data** such as your username and password, purchases or orders made by you, your interests, preferences, feedback, survey responses.
- **Usage Data** such as information about how you use our website, products, services.
- **Marketing and Communications Data** such as your preferences in receiving marketing from us and any third-party companies on our behalf and your communication preferences.

We may also collect, store and use the following sensitive types of Personal Information:

- **Information about criminal convictions and offences**

We also collect, use and share aggregated data such as statistical or demographic data. Non-personal data may be derived from your personal data but is not considered personal data for the purposes of law as such does not directly or indirectly reveal your identity in any way whatsoever. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific website and the Electronic Services feature. However, if we combine or connect aggregated data with your personal data in a way that, either directly or indirectly, identify you we treat the combined data as personal data which will be used in accordance with this Privacy Policy.

#### 4. How do we collect your personal data?

We use different methods for collecting your personal data such as:

- **Direct interactions.** You may give us your identity, contact and financial data by filling in the required registration forms in our website, Electronic Services or by corresponding with us by phone, email or otherwise. This includes, but is not limited to, personal data you provide us when you:
  - apply for our products or services;
  - make a request under the client agreement;
  - create an account on our website, through Electronic Services or use of any of Exinity applications;
  - provide as a result of transactions you conduct through Exinity systems or in connection with services offered by Exinity;
  - subscribe to our service or publications;
  - request marketing to be sent to you;
  - enter a competition, promotion or survey;
  - give us feedback
- **Automated technologies or interactions.** As you interact with our Electronic Services, we may automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies (for further information on our use of cookies, please see our Cookie Policy), server logs and other similar technologies.



- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
  - Technical data from analytics providers such as Google;
  - Contact, financial and transaction data from payment services providers;
  - Identity and contact data for KYC purposes from individual and publicly available sources, such as the registrar of companies, WorldCheck, Thomson Reuters, any consumer-reporting agencies etc.
- **We also process personal data generated by us** in the course of providing you with our services such as Transaction Data.

## 5. For what purposes will we use your personal data?

We may use your personal data for the following purposes ("*Permitted Purposes*"), based on the following legal grounds:

### TO ENTER INTO OR PERFORM OUR AGREEMENT

- To provide services to you in accordance with the agreement(s) you or your organisation may have with us, for record-keeping and compliance procedures;
- To provide you or your organisation with brokerage and other services available on our platforms and/or to deal with any requests or inquiries you may have;
- To respond to requests for information from you and to follow up afterwards to see if any further assistance is required.

### TO COMPLY WITH OUR LEGAL OBLIGATIONS

- To comply with any applicable laws in any country we operate in;
- For the purposes of preventing and detecting money-laundering, terrorism, fraud or other crimes and/or abuses of our services;
- To comply with any legal, regulatory or good practice requirement and to fulfil our obligations under any reporting agreement entered into with any tax authority or revenue services from time to time.

### TO PURSUE OUR LEGITIMATE INTERESTS

- For our own administrative and operational procedures;
- For statistical purposes and for market research and product analysis and to develop and improve our products and services;
- To carry out, monitor and analyse our business or operations including the activities set out in this Privacy Policy;
- To enforce or apply any agreement and/or to protect our (or others') property or rights and to defend any potential claim;

### FOR MARKETING PURPOSES WITH YOUR CONSENT

We may also process your personal data for the following purposes (after obtaining your express consent where such is legally required) in accordance with your preferences:

- To communicate with you through the channels you have approved so as to keep you up to date on latest developments, announcements and other information about Exinity services, products and technologies;
- To conduct client surveys, marketing campaigns, market analysis or promotional activities;



- To collect information about your preferences, to create a user profile to personalise and foster the quality of our communication and interaction with you (for example, by way of newsletter tracking or website analytics).
- To conduct monitoring by us or any other person on our behalf using various methods, including:
  - (i) the use of "intelligent" automated monitoring tools; or
  - (ii) through random monitoring of systems, for example systematically via electronic communication recording tools;
  - (iii) specific monitoring of systems for example in relation to investigations, regulatory requests, subject access requests, litigation, arbitration or mediation or;
  - (iv) data tracking, aggregation and analysis tools that pull data from various disparate data sources to draw linkages and/or detect behavioral patterns, interactions or preferences for analysis (including predictive analysis); and/or
  - (v) using other similar monitoring technology that may become available from time to time.

Where legally required, we will not use your Personal Information for taking any automated decisions affecting you or creating profiles other than described above.

We will use your personal data for the purposes for which we collect it, unless we reasonably consider that we need to use it for another reason and that such reason is compatible with the original purpose and the law (in which case your knowledge or consent for use thereof is not required). If you wish to get an explanation as to how compatibility of the reason and the original purpose is determined, please contact us. If we need to use your personal data for an unrelated purpose, we will notify you accordingly and explain the legal basis which allows us to do so. Please note that we may process your personal data, where this is required or permitted by law.

## **6. Who we share your Personal information with and in what circumstances?**

We may share your Personal Information in the following circumstances:

We may share your Personal Information between Exinity Entities on a confidential basis as allowed by applicable law or where required for the purpose of providing products or services and for administrative, billing and other business or ancillary purposes. A list of Exinity Entities and the countries in which each is located can be found in Section 2 of this Privacy Policy.

We may instruct service providers in or outside Exinity, domestically or abroad, to process personal data for the Permitted Purposes on our behalf and in accordance with our instructions. Exinity requires these service providers to enter into relevant agreements with Exinity as such may be required by applicable laws that govern the use of any information that they receive from us. These agreements prohibit the service provider from using information of Exinity clients other than for the purposes for which such was provided or disclosed. In accordance with applicable legislation, Exinity will retain control over, remain responsible for your personal data and use appropriate safeguards to ensure integrity and security of your Personal Information when engaging service providers.

We may share your personal data with companies providing services in the areas of fraud and crime prevention and with companies providing similar services, including financial institutions such as credit reference agencies and regulatory bodies.

We may share your personal data with companies providing services in the areas of IT, trading platforms administration, translation of documents, support of clients, marketing, promoting our services and products, external and internal audit, cloud storage, payment services and banks.



We may share your personal data with third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets or of Exinity Entities; additionally, we may seek to acquire other businesses or merge with them.

We may disclose information about you to any depository, stock exchange, clearing or settlement system, account controller or other participant in the relevant system, to counterparties, dealers, custodians, intermediaries and others where disclosure is reasonably intended for the purpose of effecting, managing or reporting transactions in connection with the provision of our services or establishing a relationship with a view to such transactions.

Consistent with applicable law, we may share your personal data with courts, law enforcement authorities, regulators or attorneys or other parties for the establishment, exercise or defense of a legal or equitable claim or for the purposes of an alternative dispute resolution process.

Generally, we will only disclose your Personal Information when you direct us or authorize us to do so, when we are allowed or required by applicable law or judicial or official request to do so, or as required to investigate actual or suspected fraudulent or criminal activities.

## **7. International transfers of personal data**

Some of Exinity Entities and our external third parties are based outside of your home country so processing of your personal data may involve a transfer of data outside your home country for the Permitted Purposes.

Whenever we transfer your personal data, we ensure a similar degree of protection is afforded to it by implementing at least one of the following safeguards:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data;
- In the absence of an adequate level of protection, we will transfer your personal data provided one of the legal safeguards is in place and if they provide adequate level of protection to personal data, so we have put in place appropriate data transfer mechanisms to ensure personal data is protected.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data.

## **8. Security and protection**

Exinity has put in place appropriate security measures to protect the security of its clients' personal data and prevent any unauthorised or unlawful processing, accidental loss, destruction, alteration, disclosure or damage of clients' personal data. Exinity implements appropriate technical and organisational measures such as network traffic encryption, pseudonymization, data encryption, two-factor authentication, access management procedure, tokenization, clean desk policy, business continuity and disaster recovery, IT systems risk assessment, physical and logical access segregation, process in case of personal data breach policy etc. Exinity limits access to the clients' personal data to those employees, agents, contractors and other third parties who have a business need to know, only process clients' personal data on Exinity' instructions and are subject to a duty of confidentiality.



## 9. Recording of telephone conversations and of electronic communication

We record, monitor and process any telephone conversations and/or electronic communications between us through fax, email, social media, electronic messages, either initiated from Exinity or you. All communications are recorded and/or monitored and/or processed by Exinity, including any telephone conversations and/or electronic communications that result or may result in transactions or client order services even if those conversations or communications do not result in the conclusion of any arrangements and or transactions. The content of any in person conversations and/or communications with you may be recorded by minutes or notes. Any such records can be provided to you upon request at the same language as the one used to provide services to you.

## 10. How long will you use my personal data for?

We will retain your personal data for as long as necessary to fulfil the purpose we collected it for, including the purpose of satisfying any legal, accounting or reporting requirements. In order to determine the appropriate retention period for your personal data we consider, among others, any statutory or regulatory retention periods, the amount, nature and sensitivity, the potential risk of harm from unauthorised use or disclosure, the purposes for which we process it and whether we can achieve those purposes through other means, applicable legal requirements etc.

## 11. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data:

- **Request access** to your Personal Information (commonly known as a "data subject access request"). This enables you to receive a copy of the Personal Information we hold about you so as to check that we are lawfully processing such.
- **Request correction** of your Personal Information. This enables you to have any incomplete or inaccurate information completed and or amended accordingly.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove your personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with applicable law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request the restriction** of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Right to withdraw consent** where we are relying on your consent to process your personal data (for example marketing communications). However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we



may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

- **Right to data portability** allows you to obtain and reuse your personal data for your own purposes across different services. It allows you to move, copy or transfer personal data easily from us to another service provider in a safe and secure way.

If you wish to exercise any of the rights set out above, please send an email to [dpo@exinity.com](mailto:dpo@exinity.com), unless stated otherwise herein.

You will not have to pay a fee to access your personal data or exercise any of the other rights. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data or exercise any of your other rights. This is a security measure to ensure that your personal data is not disclosed to any person other than you. We may contact you to ask for information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is complex or you made a number of requests. In this case, we will notify you and keep you updated.

## **12. Personal data breach**

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of any breach where we are legally required to do so. If you require further information on how we deal with a data breach, please contact us.

## **13. Questions and complaints**

If you have any questions which have not been covered in this Privacy Policy, any further concerns regarding the use of your personal data or any complaints as regards to this Privacy Policy and about use of your Personal Information you can reach out to us using the contact details available on our website or send an email to [dpo@exinity.com](mailto:dpo@exinity.com)

If your complaint or concern is not resolved, you can contact the office of the data protection authority of your home country via their website.